

1 AN ACT concerning civil liabilities.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Mental Health and Developmental  
5 Disabilities Confidentiality Act is amended by adding Section  
6 9.4 as follows:

7 (740 ILCS 110/9.4 new)

8 Sec. 9.4. Disclosure for treatment and coordination of  
9 care.

10 (a) For recipients in a program administered or operated by  
11 the Department of Healthcare and Family Services or the  
12 Department of Human Services (as successor to the Department of  
13 Mental Health and Developmental Disabilities), records of a  
14 recipient may be disclosed without consent by county jails,  
15 insurance companies, integrated health systems, and State  
16 agencies, including the Department of Corrections, the  
17 Department of Children and Family Services, the Department of  
18 Healthcare and Family Services and the Department of Human  
19 Services, to hospitals, physicians, therapists, emergency  
20 medical personnel, and members of an interdisciplinary team  
21 treating a recipient for the purposes of treatment and  
22 coordination of care.

23 (b) An interdisciplinary team treating a recipient may

1 disclose the recipient's records without the recipient's  
2 consent to other members of the team.

3 (c) The records that may be disclosed under this Section  
4 are services rendered, providers rendering the services,  
5 pharmaceuticals prescribed or dispensed, and diagnoses. All  
6 disclosures under this Section must be made in a manner  
7 consistent with existing federal and State laws and  
8 regulations, including the federal Health Insurance  
9 Portability and Accountability Act (HIPAA).

10 (d) For the purpose of this Section only:

11 "Integrated health system" means an organization with  
12 a system of care which incorporates physical and behavioral  
13 healthcare and includes care delivered in an inpatient and  
14 outpatient setting.

15 "Interdisciplinary team" means a group of persons,  
16 representing different clinical disciplines (medicine,  
17 nursing, social work, psychology, etc.) providing and  
18 coordinating the care and treatment for a person with  
19 mental illness. The group may be composed of individuals  
20 employed by one provider or multiple providers.

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.